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LETTER DATED 5 AUGUST 1998 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you the attached letter from Mr. Tariq Aziz, Deputy Prime Minister, dated 5 August 1998 setting out the essential facts concerning Iraq's implementation of the requirements of section C of Security Council resolution 687 (1991), and of resolution 715 (1991), and the attempts of the Special Commission to conceal those facts. Attached to the letter is a resolution of the Revolution Command Council and the Iraqi Regional Command of the Arab Baath Socialist Party dated 5 August 1998 concerning the work of the Special Commission.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Chargé d'affaires a.i.

* Reissued for technical reasons.

Annex

[Original: Arabic and English]

Letter dated 5 August 1998 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council

I wish to place before the Security Council the substantive facts concerning the position with respect to the implementation of the requirements of section C of resolutions 687 (1991) and 715 (1991).

The Special Commission has been working for more than seven years in Iraq. Up to our most recent meeting with Mr. Richard Butler, the Executive Chairman of the Special Commission, on 3 August 1998, the special Commission had refused to inform the Security Council of the substantive facts of the situation. Instead, the Special Commission has continued its old and well-known methods of concentrating on details of no value with respect to the requirements of section C of resolution 687 (1991). It has also continued with its methods of raising marginal issues, to confuse and mislead the Council and world public opinion into thinking that those issues are of some importance with respect to the requirements of disarmament. In addition, it has attempted to conjure up the crises and provocations which characterized the work of the Special Commission throughout the past years. The purpose of this was entirely clear, namely to perpetuate the embargo pursuant to the policy of the United States of America.

At the latest meeting between the Chairman of the Special Commission and myself on 3 August 1998, and after reviewing the results of what has been done since we last met on 13 and 14 June 1998, I addressed the following questions to Mr. Butler:

1. Are you prepared to inform the Security Council that Iraq is entirely free from all the weapons proscribed under resolution 687 (1991) in the three areas (missiles, chemical and biological), or have you tangible evidence to the contrary?

2. Are you prepared to inform the Security Council that the factories, equipment and devices which the Special Commission regarded as being connected with weapons have been destroyed, and that the factories, sites, equipment and devices that remain, which are referred to as being of "dual use", are all being strictly and comprehensively monitored? And that, consequently, Iraq is not capable of resuming production of such weapons?

/...

3. Are you prepared to inform the Security Council that the Special Commission, since the establishment of the monitoring regime in 1994, has not detected any serious violation by Iraq with respect to the resumption of the production of the proscribed weapons?

Mr. Butler replied that he was "not able" to say that to the Security Council.

I asked him: "Why are you not able to do so? Are they not facts? In that case, why not notify them to the Security Council?" He said that it was because more verification was needed.

I said to him: "The Special Commission has carried out the following activities over seven years, which are fully sufficient to verify those facts. The activities are as follows:

1.The number of inspection teams that visited Iraq between 1991 and 2 August 1998 is 260.

2.The number of sites inspected and visited by the inspection teams and monitoring groups is 9,340.

3.The number of sites subject to ongoing monitoring is 496.

The Executive Chairman of the Special Commission said that more verification was still required.

At our meeting on 3 August, I stated the following facts concerning the so-called "verification" carried out by the Special Commission.

In the meetings that we had with Mr.Butler on 13 and 14 June 1998, we agreed to a schedule for work that would cover the three areas (missiles., chemical weapons and biological weapons) and focus on issues related to disarmament, pursuant to Security Council resolution 687 (1991), section C, with a view to resolving them in a definitive manner, so that the Security Council would be able to implement paragraph 22 of resolution 687 (1991) within a short space of time, We also agreed to review the results of the work at our next meeting in August 1998.

What has happened in the intervening period?

1. Missiles

According to the Special Commission, there were two outstanding issues in this file: the material balance of the destroyed missile warheads, particularly the warheads filled with chemical and biological agents, and final consideration of the status of indigenous production of engines and gyroscopes.

I . Re-excavation work at the sites where the destroyed warheads were buried in 1991 began in September 1997 and intensively until July 1998 under difficult conditions.

This work was done, despite the fact that everyone knows that the missile warhead itself does not constitute a weapon, unless it is attached to a missile that is capable of carrying it to the target, and despite the fact that the Scud missile engines and the missile launchers have been destroyed, and the Special Commission has verified this fact since August 1997. We worked with the Special Commission throughout this period to verify the material balance of the warheads and we demonstrated our full commitment to removing all obstacles to the closure of this file, so that the entire matter may formally be moved from the disarmament stage to the monitoring stage.

In the July 1998 meeting held to follow this issue between the Iraqi side, led by Lieutenant General Engineer Amer Mohammed Rashid, and the Special Commission, headed by Mr. Nikita Smidovich, the Iraqi side proved by concrete evidence the completion of the material balance of the destroyed special warheads and the Special Commission's team raised no objections to this conclusion.

However, instead of acknowledging this fact, and considering it as the last stage in the closure of the file, the Special Commission team, headed by Mr. Nikita Smidovich, raised a number of trivial matters, which had no relation with the substance of the subject, by asking several questions under the pretext of "further

verification"!!! We have included in appendix I to our present letter a list of the questions which the Special Commission's team raised.

2. The second issue relating to missiles, which the Special Commission considered outstanding, is the indigenous production of engines and gyroscopes. A meeting to address this subject was held in July 1998, in accordance with the schedule for work, with the Iraqi side led by Lieutenant General Engineer Amer Mohammed Rashid and the Special Commission's team led by Mr. John Laraby.

As a background to this subject, I should like to state that Iraq attempted before 1991 to produce missiles through indigenous efforts. The Special Commission was informed since 1995 in a long series of meetings, of the basic facts of the matter, to the effect that Iraq had not fully succeeded in producing indigenous engines or gyroscopes. One of the facts that bear this out is that, during the military operations between 17 January and 28 February 1991, Iraq did not use any missile other than the modified Scuds. However, the Special Commission persisted with its so-called "verification". After three years of tedious verification activities, we expected that we would finish this question in the last July meeting, held in the context of the schedule for work we agreed on with Mr. Butler in June.

In that meeting, the Iraqi side established the basic facts concerning the lack of success in attempts to produce indigenously missile engines and guidance systems (gyroscopes). The Special Commission team, under the leadership of John Laraby, was unable to refute the Iraqi statements. However, instead of recognizing this fact and focusing on it, the team raised - under the cover of further verification - marginal issues. As a glaring example of that, are the questions raised by one member of the team, and confirmed by the team leader, John Laraby, as important for verification purposes, concerning the import of one turbo pump for a missile engine. Appendix II to our letter lists those questions.

II. The chemical area

The points that needed to be followed up in this area under the joint schedule for work agreed on in June 1998 were the following:

I. The results of the chemical analysis of the samples of the warheads remnants and the other samples taken from the Al-Muthanna Establishment, and taking additional samples by the Special Commission from the soil and the warheads remnants from the destruction sites.

2. The material balance of the special ammunition:

- The 155-mm mustard-gas shells that were lost;

-The R400 aerial bombs.

3. The material balance of glass equipment for the production of chemical agents, and the presentation by Iraq of clarifications concerning the transport of shipping containers containing the glass equipment.

During the meeting held in July, which was chaired on the Iraqi side by Dr. Amer Al-Sa'adi, and on the Special Commission side, by Mr. Igor Mitrukhin, the results were as follows:

I . The Iraqi side proved that the material balance of the R400 bombs was complete and that the bombs could be used only in combination with a complementary part, and that these parts existed, and could be verified. Yet the Special Commission team postponed immediate verification until a later stage!

2. As to the 155-mm shells that were lost, the Special Commission was informed of the results of the investigation carried out by the Iraqi side, to the effect that, during the war or during the disturbances of March 1991, a truck carrying this type of shells was set on fire. A Special Commission team visited the site where the truck was destroyed, and the results clearly proved that fact. In addition, the Special Commission team visited a large burying site where the

remnants of various ammunitions had been buried, where it is likely to find the remnants of those shells.

We have explained to the Special Commission that this question could not constitute an obstacle to close the chemical file from the standpoint of disarmament, for it is one issue that can be followed up in the context of the monitoring phase. This is because the basic facts of this matter are:

(a) The Special Commission closed the chemical file in 1995 without considering this issue, which was known to it then, as a reason preventing the closure of the file. This was because the percentage of the said ammunition was less than 5% of the total of its type, and the Commission had verified the destruction thereof or destroyed it itself.

(b) The ammunitions in question are destroyed by fire, and we informed the Special Commission of the burning and its circumstances.

In the light of the foregoing, this issue does not constitute a serious obstacle to closing the chemical file from the disarmament standpoint. This issue and other secondary issues can be followed up in the context of the monitoring phase. However, the Chairman of the Special Commission refused to do so and asked for more verification!

(c) The Special Commission raised superficial storm when it announced that it had found traces of VX agent in a number of the destroyed warheads, despite Iraq's repeated assertions that it had not weaponized the missile warheads with that agent. I explained this matter to the Executive Chairman as follows:

(i) If Iraq had weaponized warheads with VX, there would be no reason why it should not declare this, particularly as it has already disclosed that it had weaponized warheads with other chemical and biological materials.

(ii) If Iraq had abstained from declaring the weaponization of warheads with VX, with the intention to conceal them, then it would have been a silly act on the part of Iraq, because a missile

warhead does not, of itself, constitute a weapon, as we have already stated, for there are no longer any missiles to carry it.

(iii) If the abstention to declare that was with the intention to conceal, how could traces of these warheads have been found in the destruction sites?

All these points confirm that there are probably one or more other reasons for what was said to be a discovery of degraded chemical traces in the destroyed missile warheads, which could be fragments of VX as alleged by the Special Commission. The reason could also be the probability of the degradation of other chemical material which could give certain indications, or it could be the consequence of using contaminated equipment previously used in the production of VX in filling missile warheads with other substances. Briefly put, this is a scientific question which could be followed up by experts, and the final result would not change the substantive facts that the chemical weapons had been destroyed and the ongoing monitoring prevents the reproduction thereof. This was what I requested Mr. Butler to acknowledge, and he refused to do so.

III. Biological weapons file

Since 1996, the Special Commission has been deliberately giving a distorted and falsified picture of the biological programme. It has deliberately ignored the fundamental facts concerning this programme and raised lies and fabrications using intelligence methods in coordination with American parties.

The essential facts concerning this programme are as follows:

1. The programme was newly established (in terms of planning and personnel) and lacked the necessary expertise, particularly in weaponization. Consequently, it was not completed and remained without a specialized top management.

2. The equipment used in this programme were not specialized in the production of biological agents, and Iraq was not able to import any specialized equipment for this purpose.

3. Iraq destroyed this programme completely in 1991.

4. All the details concerning this programme were declared to the Special Commission in September 1995.

5. The Special Commission has carried out a large series of activities comprising inspections and interviews for three years in order to verify Iraq's declarations. Forty-five biological teams inspected 334 sites, and 13 of these teams carried out interviews with 256 personnel. The monitoring biological teams carried out 1,048 inspections during this period.

6. The material balance of missile warheads which had been filled with biological agent as well as R400 aerial bombs was completed.

7. All the factories were destroyed, and a large number of equipment which the Special Commission presumed their use in the programme, although some of these factories had been furnished, after 1991 for strictly civilian purposes, was comprehensively destroyed. At Al-Hakam plant, for example, in addition to industrial equipment, furniture, offices, cooling equipment, refrigerators, beds, electrical transformers and scientific manuals were destroyed. We accepted this sacrifice after the Special Commission promised us that the destruction of Al-Hakam in that manner was the most important step for closing the biological file.

8. Some very important documents substantiating Iraq's declarations had been provided to the Special Commission.

9. In all the inspections which had been carried out by the Special Commission for more than seven years, it had not found any biological weapons or agents. It is known, however, that the teams of the Commission use highly advanced scientific methods to check whether there are any traces of current or previous biological activity in the inspected sites, and the Special Commission has not found any proof on the existence of biological activities, current or previous, in sites other than those declared by Iraq which were destroyed.

10. Ninety-five sites which the Special Commission said that they could be used for biological activities were placed under ongoing, strict and very intrusive monitoring.

Despite all these substantive facts, the Special Commission has refused to recognize the truth of the Iraqi declarations saying that they are unverifiable, although it has been engaged in "verification" for more than three years.

On 5 November 1997, during the meetings with the delegation sent by the Secretary-General of the United Nations, led by Mr. Al-Akhdar Al-Brahimi, we provided examples of verification procedures which the person in charge of the biological file, Mr. Spertzel, adopted during the previous period, which raised surprise and sarcasm.

We agreed, With Mr. Butler, to hold a Technical Evaluation Meeting in which international experts would participate in order to consider this file, but this is what happened:

(a) The Special Commission insisted that the meeting should be held in Vienna instead of Baghdad. This prevented many of the Iraqi experts concerned with the file from attending the meeting for reasons pertaining to the sanctions;

(b) The Special Commission held lengthy meetings with the international experts beforehand and concentrated on the aspects it considered to be negative, without giving the Iraqi side a similar opportunity before the meeting.

(c) It is the Special Commission which drew up the agenda of the meeting, formulated the questions and determined the way in which the meeting would be conducted. Many questions were tendentious and political and had nothing to do with disarmament. That was why the meeting held in Vienna, from 20 to 27 March 1998, did not succeed to resolve the problem of this file. When I met Mr. Butler in June, I therefore proposed to him that another meeting should be held in Baghdad in order to study the file in-depth and objectively. We agreed that the meeting should

concentrate on the substantive issues concerning filling and unilateral destruction., and then production and growth media.

When the meeting was held in Baghdad in July 1998, we were surprised that the team of the Special Commission did not focus on the priority issues from the perspective of disarmament, as agreed with Mr. Butler. The team reverted to the same methods practiced by the Special Commission in raising questions which bore no relation to the fundamental questions of disarmament, and ignoring the task of the experts in providing scientific and technical evaluation of what Iraq had produced of biological weapons and the viability of such weapons in the event that any limited margin of uncertainty remains in the material balance of some of them.

I had to meet the head of the delegation, Mr. Selstrom, to discuss this question. But he asked to be accompanied by Mr. Spertzel, an American national, and the meeting took place in the presence of Mr. Spertzel. I told Mr. Selstrom. that, during the work between the Special Commission's team and the Iraqi side, led by general Amer Al-Sa'adi, the Special Commission's team did not concentrate on essential issues relating to disarmament., as agreed with Mr. Butler in June. He replied that he had not been given any instructions to that effect. On 3 August 1998, I raised this question during my meeting with Mr. Butler. I asked him why he had not given instructions in accordance with our agreement. He did not respond to this question.

Thus we found ourselves in the same vicious circle created by the Special Commission with regard to this file. In a letter dated 23 July 1998, I proposed to Mr. Butler that, at our next meeting on 3 August, he and I should preside over a special meeting devoted to a discussion of this file and to supervise directly the manner of handling the file by the two sides from the angle of the requirements of disarmament and to evaluate what was achieved. (The letter appears in appendix III). But Mr. Butler rejected this proposal (See appendix IV).

These unfortunate facts about what happened at the meetings between Mr. Butler and myself, and about the method of work adopted by the Special Commission during the period from 14 June to 3 August

1998, together with the refusal by the Chairman of the Special Commission to respond positively to my legitimate request to report the facts in question (pages 2 and 3) to the Security Council, against which the Special Commission has no tangible evidence, all this raises a fundamental issue, namely: what is the objective of continuing with these meetings and of working with the Chairman of the Special Commission and its teams if the Chairman is "unable", as he said, to report the facts drawn from these meetings and from the joint work to the Security Council? If the Special Commission insists on following this deliberate approach to prolong the work by the clear confusion between the fundamental questions relevant to disarmament and the requirements of section c of resolution 687 and questions presumed by it, which are often trivial?

We have raised the question of the working methods of the Special Commission in many letters which over the last few years, and we have particularly concentrated on this question during the last crisis, between October 1997 and 23 February 1998, and we brought up the issue on 5 November 1997 with the delegation sent by the Secretary-General and headed by Mr. Lakhdar Brahimi. We raised the issue again with the Secretary-General of the United Nations during the discussions we had with him on 22 and 23 February 1998. We brought up the issue also during our discussions with the members of the Security Council.

At the said meetings we also raised the fundamental issue of the composition of the Special Commission and the control exercised by the United States of America and the United Kingdom on the work of this Commission, and the reflection thereof on the inspection and verification methods and the drawing up of reports sent to the Security Council, along with anti-Iraqi political, tendentious and hostile statements to support the positions of the Special Commission and its methods of work. Despite some measures taken in this respect by adding new elements to the office of the Special Commission in New York and the participation of experts from other permanent members of the Security Council in some inspection teams, the real situation has not changed, as the American and British elements are still leading all its activities and define all the discussions of the Special Commission.

Considering that it is well-known that the United States and the United Kingdom have tendentious political objectives against Iraq, which are irrelevant to the Security Council resolutions, the domination by these countries of the Special Commission raises a fundamental problem.

The conclusion is that Iraq, for its part, has fulfilled the requirements of the Security Council resolutions, cooperated with the Special Commission, and provided it with all the information, documents and explanations. But the Special Commission is not prepared to tell the truth by announcing that the main task entrusted to it in accordance with section C of Security Council resolution 687 (1991) has been completed. This is an illegal position. It is a tendentious political position which is not based on any scientific or technical foundation.

Moreover, even when there is a technical basis for the closure of a given file, the United States of America and the United Kingdom refuse to acknowledge that. Since these two countries have the privilege of the veto, they have obstructed practically any step which the Security Council attempted to take in the direction of achieving justice and equity. This is what happened in July in the case of the nuclear file, which renders a clear proof that we are in a situation in which the sanctions against Iraq will be maintained whatever measures Iraq takes and provides.

The Iraqi leadership has warned against such an unjust situation on various occasions, notably on 1 May 1998, in the speech delivered by the President of the Republic of Iraq on 17 July 1998 and finally in the latest statement issued on 30 July 1998, which was officially transmitted to the Security Council and to the Secretary-General of the United Nations. Despite this warning, the Special Commission did not give attention to the sincere appeal we made in that statement, and persisted in its approach which aims at maintaining the sanctions to serve the criminal policy of the United States of America in killing the Iraqi people and destroying Iraq. Our statement of 30 July 1998 was clear that this situation was unacceptable because Iraq cannot endure all these losses, these expenses and these threats to its security and sovereignty while the sanctions remain in place.

Therefore, Iraq's leadership has taken a number of decisions to preserve Iraq's legitimate national interests, to put an end to the flagrant injustice to which the great people of Iraq have been exposed for many years, and to make world public opinion aware of the serious turn of events and the nature of the injustice whose means and pretexts have been created and maintained by the United States of America.

The statement issued on 5 August 1998 by the Iraqi leadership is annexed to this letter.

Iraq has cooperated with the Security Council, the Special Commission and the International Atomic Energy Agency and has fulfilled all its obligations in an expression of its good faith to have the sanctions imposed on its people lifted. But all this cooperation and these achievements have not led to the lifting of the sanctions, which has been maintained unchanged for eight years. Thus, Iraq cannot continue to endure this injustice, and we hope that the Council will carefully consider, in good faith, Iraq's decisions and proposals so as to achieve justice and end inequity.

(Signed) Tariq AZIZ
Deputy Prime Minister

Appendix I

[Original: English]

Examples of the questions raised by the United Nations Special Commission

1. What is the type, weight, size and diameter of each bomb?
2. How many people lifted each bomb?
3. Was the excavator a shovel or Poclain?
4. Was it wheeled or truck?
5. Is it that one with the big arm?
6. Was it a big or small one?
7. How wide was the blade?
8. When you got to that site, what did it look like?
9. Was it flat, a valley or a hill?
10. Did you fill in the pits which were dug up?
11. How far did the fragments travel?
12. Where did you put the things (fragments) you collected?
13. Had the tyres of your vehicle been punctured?
14. Did you have any problem in arriving at the pits, such as punctured tyres?
15. Did you take a vehicle to that pit or did you walk?
16. Were the shovel and Poclain used in the same pits?
17. Were the piles (of the fragments) of the same size or was there one large and the others smaller?
18. Were the piles collected inside the pits or at the top of the pits?
19. Were things thrown from the top to the bottom of the pits?
20. Was your truck wheeled or truck?

Appendix II

[Original: English]

Questions regarding the receiving of the foreign turbo-pump for the test run on 13 September 1989

1. Who on the Iraqi side received the pump?
2. Who on the Iraqi side was also present?
3. Who handed over the pump (all persons)?
4. Who was asked to hand over the pump?
5. When did you ask to be given one pump beforehand?
6. Was this desire also expressed in writing?
7. When was the pump handed over (date)?
8. When was the pump built into the engine for testing?
9. Which airline was used to bring the pump to Iraq?
10. Which were the flight data?
11. Which airport in Iraq was used?
12. What were the packings for the pump?
13. Were the packings original Thyssen packings?
14. Was the packing of the pump different than for the other pumps?
15. How was the package labelled?
16. How was the pump brought through customs?
17. How was the pump transported from the airport to your facilities?
18. Where exactly (location) was the pump handed over?
19. Had the pump been tested in Germany before delivery?
20. Were there additional customs papers for the pump?
21. Who paid for the transport?
22. How much was paid for this transport?

23. Did the pump bear a serial number?

24. Were there any differences between this pump and the following pumps?

25. Is this pump to be considered additionally to the contracted 35 pumps?

26. If the first pump was brought in the autumn and three in January, what did the box, which was supposed to contain five pumps, really contain?

27. How long did the people who handed over the pump stay in Iraq?

28. Which airline did they use to go back; when did they leave Iraq (flight data)?

29. Anything to add?

Appendix III

[Original: Arabic]

Letter dated 23 July 1998 from the Deputy Prime Minister of Iraq addressed to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

With reference to the programme of our next meeting in Baghdad to be held from 3 to 4 August 1998, I should like to point out that the outcome of the meetings which were held in Baghdad from 17 to 22 July on the question of the biological file (Group 250) did not succeed in closing the gaps between the two sides. Therefore, we deem it highly important to devote sufficient time to this issue during our next meeting, in order to be able to study it intensively from the political and technical angles. This may require an extension of your stay in Baghdad for as long as necessary, and the participation of the largest possible number of experts from both sides in considering the issue in question during the next meeting.

We hope that you will attach high priority to this matter.

(Signed) Tariq AZIZ
Deputy Prime Minister

Appendix IV

[Original: English]

Letter dated 24 July 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Deputy Prime Minister of Iraq

I write in response to your letter of 23 July 1998.

Your proposal rests on a basic contention that, in your words, "the outcome of the meetings ... did not succeed in closing the gaps between the two sides". Two points must be made about that contention.

First, I do not know in any authoritative way what the outcome was because I have not yet received the Chief Inspector's report. I am interested that it appears that you do.

Secondly, I have a problem with the notion of "gaps" between the two sides because it, fundamentally, misrepresents both the nature of the relationship, which, according to the Security Council, should prevail between the United Nations Special Commission and Iraq and the terms of reference of the meetings held at Baghdad from 17 to 23 July 1998.

That relationship is that Iraq should declare in full and truthfully all relevant proscribed programmes, in this case, in the field of biological weapons and that the United Nations Special Commission should seek to verify those declarations. The recent meetings at Baghdad were to have operated under these basic principles.

To describe our inability to carry out our side of the work as a mere "gap" is to depart very far from the fact of the inadequacy of Iraq's past declarations, as identified on at least three occasions by independent groups of international experts.

The proposal you now make is similar to what you proposed, and we discussed, during my last visit to Baghdad, in June 1998. At that time, I made clear that while the biological weapons area might benefit from a change in methodology, the fundamental problem remained that of achieving a full and verifiable accounting of the Iraqi biological weapons programme to the satisfaction of qualified scientists. This is a matter of establishing facts, not of negotiation between two positions. Hence, during the June meeting, I agreed to our renewed, indeed fourth, effort by international experts, including those from countries which you specifically designated, to meet with their Iraqi counterparts in Baghdad to once again review Iraq's declarations. The duration of the meeting was to be determined by the team leader.

This meeting has now been completed and I look forward to receiving the team's report next week. If it proves to be "unsatisfactory", as you say it will, we will need to analyse why that is the case. It is premature, at this

stage, to conclude that political level discussions, no matter of what duration, would correct a problem which has been long-standing, repeatedly addressed and has always rested on the failure of Iraq to provide concrete and verifiable technical information.

It continues to be our firm position that resolution of the biological weapons area can be accomplished with the provision of further documents and other verifiable information by Iraq, which Iraq possesses.

It is not the job of the Special Commission, as a technical subsidiary organ of the Security Council, to negotiate over what Iraq should or should not provide, or to intervene in the work and the assessments of experts.

Consequently, while we can discuss the status of the biological area and possible next steps which might be taken towards resolving the serious problem of Iraq's unwillingness to provide relevant materials, I cannot agree to the notion that the substance of this matter is one which can be resolved at the political level or by political negotiation, if the Security Council's concrete requirements are to be met.

Naturally, we can discuss future work and meetings both by experts and at our level. If Iraq were, in the interim or during my visit, to provide significant new information and documentation, I believe we would be able to agree upon the procedures for speedy, expert evaluation of such new materials. Discussion of such procedures could be accommodated during the time schedule already established for my visit to Baghdad. I assure you that I and my colleagues are ready to work intensively during that period.

(Signed) Richard BUTLER

Appendix V

[Original: Arabic]

Statement issued by Revolution Command Council and the Iraqi Regional Command of the Arab Baath Socialist Party

In the Name of Allah, the merciful, the compassionate

"To those against whom war is made, permission is given (to fight), because they are wronged; - and verily, Allah is most powerful in their aid"

Great striving people,

Fellow members of the glorious Arab Nation,

Freemen and righteous men of the world,

For eight harsh years, Iraq has suffered unjust, oppressive and unparalleled sanctions which are unprecedented in recent history. As the whole world knows, these sanctions have led to the death of millions of Iraqi children, women and elderly persons, the deprivation of the proud people of Iraq of the most basic humanitarian needs, and the deterioration of the economic and scientific infrastructure built over decades through the efforts and resources of the Iraqis, denying them their legitimate right to development and progress and causing serious damage to the social structure of the country.

Iraq has accepted the resolutions of the Security Council and has implemented them over seven years of toil and hard work. This has entailed tremendous losses and unbearable costs, which were detailed in the statement issued on 30 July 1998. Iraq has fulfilled all the obligations imposed on it in the hope that this would lead initially to the lifting of the unjust sanctions through the implementation of paragraph 22 of Security Council resolution 687 (1991) and finally to the elimination of all other types of sanctions.

However, the United States of America has resorted to all ways and means to maintain the unjust sanctions in all their manifestations and in all areas of life and to obstruct and prevent any action by the Security Council that would recognize what Iraq has achieved in fulfilling the requirements of Security Council resolutions for the elimination of the sanctions. Foremost among the instruments used by the United States of America is the Special Commission. The United States of America controls the Commission's leadership, activities and mode of operation. Thus, the Commission has been turned into a disgraced instrument for implementing the criminal American policy against Iraq either by finding pretexts and fabricating crises with a view to maintaining the sanctions or by spying over Iraq and threatening its national security and sovereignty.

Throughout the past years, Iraq has raised this issue. Several crises have arisen, especially last year over the period which began in October 1997 and continued until 23 February 1998 when an agreement was concluded with the

Secretary-General. But this agreement and all other efforts failed to rectify this situation, which remains unchanged. The Commission continues to fabricate false pretexts to perpetuate its work indefinitely. The United States of America blatantly and shamelessly continues to pursue its criminal policies of maintaining the sanctions in contravention to the text of the Security Council resolutions and the principles of international law.

Furthermore, since 1991 the United States of America has committed flagrant and gross violations of Iraq's sovereignty and territorial integrity. It continues to do so by imposing an illegal air siege against the northern and southern parts of Iraq. It openly declares its criminal schemes against Iraq by allocating funds to finance illegal activities aimed at intervening in Iraq's internal affairs to commit acts of sabotage and terrorism in the country.

Since 1 May 1998 we have been issuing candid, clear and sincere statements, in addition to some previous warnings during the last three months, against the consequences of such a position. We have also emphasized that the people of Iraq and its leadership cannot tolerate such an intransigent position of injustice, and called upon the Security Council, the Secretary-General of the United Nations and the international community to adopt a fair and firm position aimed at redressing this anomaly by putting an end to it and lifting the unjust sanctions imposed against the people of Iraq.

Yet these serious and sincere statements have remained unheeded, with the United States of America persisting in its policy and criminal schemes. For its part, the Special Commission has continued to implement such a policy, as may be seen from the proceedings of the last meeting between the representatives of the Commission and of Iraq when the Chairman of the Special Commission refused to endorse officially the substantive facts about Iraq's compliance with section (g) of Security Council resolution 687 (1991) and to inform the Security Council accordingly, even though these facts have been established and published for years.

We should also like to refer to the position of the United States of America when it rejected the proposals that were recently put before the Security Council to move the nuclear item from the status of disarmament to that of monitoring, even though this has been the situation since 1992 with the endorsement of a significant number of members of the Security Council.

In the light of the current circumstances, which confirm that Iraq will always be under siege regardless of what it does, and regardless of its fulfilment of the Security Council's requirements, the Command has reviewed the situation, recalling its message to the Security Council dated 1 May 1998, the speech delivered by President and Leader Saddam Hussein (may God be his guardian) on 17 July, and its statement issued on 30 July. In the light of the decisions taken by the National Assembly, the appeals issued and the positions taken by grass-roots and people's organizations, together with the unions, professional and popular associations and the political parties of the land, the Command has taken the following decisions to be conveyed to the Security Council and to the Secretary-General of the United Nations:

I - Since Iraq has fulfilled all the commitments required in section (C) of Security Council resolution 687 (1991), Iraq calls upon the Security Council to apply paragraph 22 of resolution 687 (1991) as a first step on the road leading to the complete and total lifting of sanctions.

II - Since the Special Commission, in its current composition, is neither objective nor fair, we request that the Security Council re-establish the Special Commission on the following basis:

(i) Create a new executive bureau to lead and direct all the activities and functions of the Special Commission. It should be composed of an equal number of members who represent the nations that are permanent members of the Security Council. The chairmanship of the bureau should be on rotation basis. Iraq should participate as an observer in the bureau's work.

(ii) Restructure the Commission's administrative units at its main office in New York and at its offices in both Bahrain and Baghdad according to the same principle.

(iii) Remove the Commission's main office from New York to the United Nations Headquarters in either Geneva or Vienna so as to insulate it from the direct influence of the United States of America.

III - The Security Council and all its members, particularly the permanent members, should observe - legally, politically and in practice - the resolutions of the Council which stipulate that the sovereignty of Iraq and its legitimate rights should be respected. They should also abide by the Charter of the United Nations and the Memorandum of Understanding signed by Iraq and the Secretary-General of the United Nations on 23 February 1998, and call to account those Council members who violate those principles, including the banning by force of flights over the northern and southern parts of Iraq by certain permanent members of the Council.

IV - Pending a move by the Security Council to take such just and legitimate steps, Iraq is totally suspending its cooperation with the Special Commission in its current form and with the International Atomic Energy Agency.

V - In expressing its good intentions and sincerely desiring that its decisions should be correctly interpreted and not tendentiously explained as non-compliance with Security Council resolutions or previous commitments, Iraq agrees that in the interim referred to in paragraph IV above, the monitoring activities according to the requirements of Security Council resolution 715 (1991) will continue, provided that the individuals responsible for monitoring tasks strictly respect the sovereignty and security of Iraq and the dignity of its people, as stipulated in the agreement of 23 February 1998 between Iraq and the Secretary-General of the United Nations. Iraq reserves its right to expel any monitoring personnel who violate these legitimate obligations.

Our great people,

Sons of our glorious nation,

The brave members of our valiant armed forces,

Iraq was destined to be tested in its honour and principles in the name of the cause of your nation and the name of humanity.

We are sure that, as in the past, the people of Iraq will prove to the whole world that they are worthy of shouldering the honourable responsibility of gaining God's favour and carrying out man's duty to stand up to the oppressors when they perpetrate oppression and aggression. God is Greatest and He is able to grant victory and the despicable ones shall be driven away.